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Journal

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CÉRÉMONIE DE POSE DE LA PREMIÈRE PIERRE DU NOUVEL IMMEUBLE DE LA COUR DES COMPTES EUROPÉENNE, le 1er juillet 09

Par M. Vitor Manuel Caldeira, Président de la Cour



De gauche à droite: **M. Claude Wiseler**, Ministre des Travaux Publics, **M. Edouardo Ruiz Garcia**, Secrétaire Général, **M. Patrick Gillen**, Président du Fonds d'Urbanisation et d'Aménagement du Plateau de Kirchberg, **M. Vitor Manuel Caldeira**, Président de la Cour

Excellences, Mesdames, Messieurs

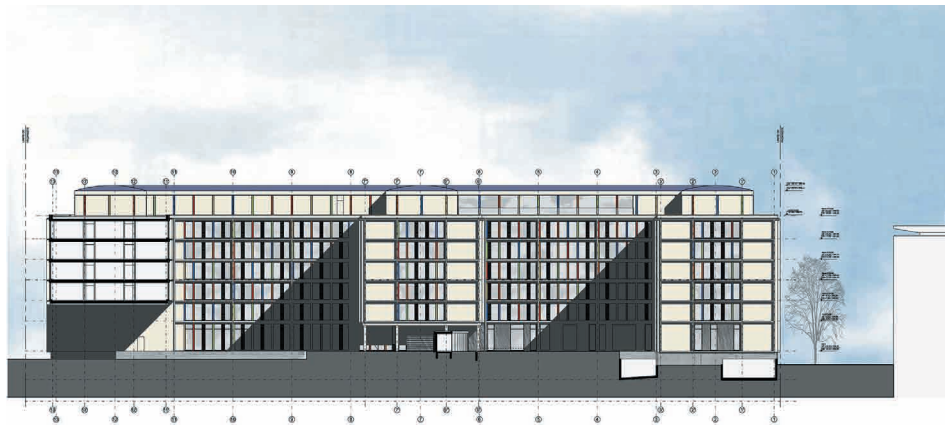
La logique de la politique immobilière de la Cour, veut que notre institution devienne propriétaire des bâtiments qu'elle occupe. À cette fin, un accord-cadre portant sur la deuxième extension a été conclu en février 2008 entre la Cour et les autorités du Grand Duché définissant les conditions de construction et financement.

Le projet de construction du bâtiment K3, estimé à un montant total de 79 million d'euros, sera financé par des crédits du budget communautaire. À ce propos, je souligne en particulier le soutien de l'Autorité budgétaire de l'Union européenne.

La modernisation et l'adaptation des infrastructures répondent à l'impératif de soutenir la Cour dans sa mission. En effet, l'amélioration des conditions de travail des agents de la Cour contribue de façon importante à la maximisation de leur efficacité et, par conséquent, de l'efficacité de la Cour elle-même. Une Cour qui n'aura plus ses effectifs dispersés dans plusieurs bâtiments mais, au contraire, regroupés dans un site unique.

La construction d'une deuxième extension des bâtiments de la Cour (le K3) est aussi le reflet du développement de la Cour au cours des 30 années écoulées. Ce développement trouve ses origines dans l'extension des compétences définies par les traités d'une part, et, d'autre part, dans l'augmentation des ressources humaines mises à sa disposition. À ce propos, j'aimerais souligner que les effectifs de la Cour ont augmenté de 45% depuis les élargissements de 2004 et 2007.

Je me félicite aujourd'hui tout particulièrement de la présence de Monsieur le Ministre Claude Wiseler, Ministre des Travaux Publics, ainsi que de Monsieur Patrick Gillen, Président du Fonds d'Urbanisation et d'Aménagement du Plateau de Kirchberg qui, avec Monsieur le Ministre Luc Frieden, Ministre du Trésor et du Budget, ont signé avec moi l'accord-cadre.



Qu'il me soit encore permis d'exprimer aux autorités luxembourgeoises, en particulier à l'Administration des Bâtiments Publics, la profonde gratitude de la Cour pour l'appui décisif à ce projet.

Je tiens aussi à remercier Monsieur l'Ambassadeur Paul Duhr, en sa qualité de Président du Comité de Coordination pour l'Installation d'Institutions et d'Organismes européens.

À tous les intervenants à la conception et au développement de ce précieux projet, j'adresse également mes plus vifs remerciements. Notamment à Monsieur Jim Clemes, l'architecte responsable et à son équipe créative, à l'Office des Infrastructures et Logistiques de la Commission au Luxembourg et, bien sûr, à toute l'équipe de la Cour des comptes en charge de la Politique Immobilière pour l'excellent travail qu'ils ont accompli au cours de ces dernières années, sans oublier l'impulsion déterminée et déterminante de notre ancien Secrétaire général, Monsieur Michel Hervé.

La collaboration et les travaux ardues de tous ceux que je viens de mentionner qui ont permis de donner aujourd'hui le premier coup de pelle du nouveau bâtiment de la Cour, dont le « Project Manager » sera l'association Drees & Sommer Luxembourg, RMC Consulting et INCA Ingénieurs Conseils Associés. Leur expérience et expertise constituent un gage de succès.

Anno Domini bimillesimo nono Kal. Jul.

Vitor Manuel da Silva Caldeira

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Claude Wiseler, operum publicorum
Rei publicae Luciliburgensis vicariis

Coram ceterorum Institutorum Europae Communium vicariis
et multis viris amplissimis ex variis ordinibus Magni Ducatus

Positus est lapis fundamentalis

**Tertii aedificii Curiae Rationum Europae
loco Luxembourg-Kirchberg vocato**

auctore Curiae Rationum Europae
auctoribus vicario operum publicorum praefecto,
artificibus Jim Clemes, fabro aedium, et aliis fabribus ex
"Bureaux d'études Emch & Berger et Schroeder & associés"
Aedificatore: consortium Drees & Sommer

LA POLITIQUE LUXEMBOURGEOISE EST DE FAIRE EN SORTE QUE LES INSTITUTIONS EUROPÉENNES SE SENTENT BIEN AU LUXEMBOURG



Le futur bâtiment K3 de la Cour des comptes européenne

D'une surface de 21.700 mètres carrés brut hors sol, le bâtiment K3 accueillera 487 personnes et occupera 171 emplacements de parking répartis sur deux sous-sols.

Ce bâtiment répond aux normes environnementales et technologiques les plus modernes et s'inscrit dans la logique de densification et de l'urbanisation du Plateau de Kirchberg.

Le projet est également respectueux d'une politique de développement durable. En effet, sa conception vise à minimiser la consommation d'énergie tout en garantissant le confort maximal des utilisateurs. En outre, le projet prévoit l'obtention d'une certification environnementale. L'immeuble est construit selon des critères de gestion rationnelle de l'énergie et de l'atténuation de l'impact environnemental de la construction.





LA POLITIQUE LUXEMBOURGEOISE EST DE FAIRE EN SORTE QUE LES INSTITUTIONS EUROPÉENNES SE SENTENT BIEN AU LUXEMBOURG

Entretien avec **M. Claude Wiseler**, Ministre des Travaux publics, à l'occasion de la pose de la première pierre du nouveau bâtiment de la Cour des comptes européennes

Par **Rosmarie Carotti**



R. C. : Monsieur le Ministre, quel a été votre rôle dans la réalisation de ce projet ? Avez-vous signé personnellement toutes les autorisations nécessaires ?

Claude Wiseler : Bien sûr. Nous avons, concernant les bâtiments qui sont construits pour les instances européennes, un certain nombre de procédures qui peuvent être différentes selon le cas. Dans le cas précis de la Cour des comptes, c'est l'Administration luxembourgeoise des Bâtiments publics qui s'occupe de la première étape. Le projet est par la suite repris par la Cour des comptes elle-même comme maître d'ouvrage. Lors de la première étape, le rôle du Ministre des Travaux publics est donc le rôle classique : il signe les contrats et le Ministère assure le suivi des procédures. Mais le travail pratique, le travail technique, est réalisé par

l'Administration des Bâtiments Publics.

R. C. : Quels sont les principaux projets européens actuellement en cours de réalisation ou de programmation au Kirchberg ?

Claude Wiseler : En traversant le Kirchberg aujourd'hui, vous pouvez y voir des grues un peu partout. Après avoir passé le pont rouge, vous apercevez tout de suite sur votre droite le plus grand chantier, qui est celui du Centre de conférences. L'ancienne Tour a reçu une nouvelle façade écologique pour épargner l'énergie. Le Centre de conférences en tant que tel va être complètement réalisé selon les standards de l'Union européenne, pour que le Conseil des ministres puisse y siéger avec tout le confort nécessaire. Deux très belles salles de réunion vont permettre à deux réunions des ministres de se dérouler en parallèle, chacune d'elle étant équipée de 28 cabines de traduction et avec vue directe sur le Conseil. Un nouveau Centre de presse sera construit à l'arrière. Il s'agit d'un des très gros projets financés entièrement par l'État luxembourgeois. Les salles seront mises à disposition moyennant un loyer au Conseil des ministres pour les mois où il siège à Luxembourg.

Un autre gros projet, qui a été terminé l'année dernière, est celui de la Cour de justice des Communautés européennes. Il s'agit d'un projet réussi, appréciation également partagée par les agents de la Cour, ceci aussi bien sur le plan architectural que fonctionnel. Le prochain projet sera la mise à niveau des annexes A, B, C de la Cour de justice.

L'extension du Bâtiment Konrad Adenauer du Parlement européen est un troisième projet de grande envergure. Le Parlement a choisi une solution qui s'apparente à celle privilégiée par la Cour des comptes européenne. L'État luxembourgeois, représenté par son Administration des Bâtiments publics, finalise les plans et entame toutes les procédures nécessaires pour qu'ensuite l'institution européenne puisse prendre le relais en tant que maître d'ouvrage.

Il convient encore de mentionner également le projet de la deuxième École européenne à Bertrange/Mamer. L'État luxembourgeois a effectué ici un énorme investissement pour 3000 élèves, le Centre polyvalent pour l'enfance seul étant financé par les institutions européennes. Il s'agit d'ailleurs d'une répartition des charges bien connue dans d'autres pays européens.

R. C. : Il y a encore le grand projet prévu de la Commission.

Claude Wiseler : Vous parlez du Bâtiment Jean Monnet 2. Un concours d'architectes est en préparation. Les modalités de construction n'ont pas encore été finalisées avec la Commission.

En général pour ce type de projets, plusieurs solutions sont possibles. Comme pour la Cour de justice, l'État luxembourgeois peut se charger de tous les travaux, qui sont exécutés par l'Administration des Bâtiments publics du Ministère. Dans ce cas, l'institution signe un contrat de remboursement avec l'Administration luxembourgeoise. Dans le deuxième cas, qui est celui qui correspond au modèle adopté pour la Cour des comptes et le Parlement européen, l'État luxembourgeois ne s'occupe que de la première étape, le maître d'ouvrage étant par la suite l'institution elle-même. On peut voir que l'État luxembourgeois s'efforce d'être très flexible pour répondre aux souhaits individuels des institutions européennes.

R. C. : Permettez-moi de revenir à notre Cour des comptes. Quel est le nom de l'architecte luxembourgeois qui jusqu'à présent a réalisé les travaux préliminaires et dont la Cour s'est engagée à payer les coûts ? Pouvez-vous nous présenter l'architecte ?

Claude Wiseler : Il s'agit de l'"Atelier d'Architecture et de Design Jim Clemes"--d'Esch-sur-Alzette, qui a déjà réalisé la première extension de la Cour. C'était également le souhait de la Cour des comptes de garder une certaine continuité dans l'architecture.

L'architecte Jim Clemes a notamment construit la Banque Générale au Boulevard Royal à Luxembourg, le Centre de conférences provisoire au Kiem, le Centre Hospitalier à Esch, le Centre intégré pour personnes âgées à Redange (CIPAR), le Pavillon luxembourgeois de l'Exposition mondiale à Lisbonne et l'Hôtel Melia à la Place de l'Europe au Kirchberg qui ouvrira ses portes dans quelques jours.

R. C. : Maintenant, la Cour est en train de nommer un chef de projet privé, qui dirigera les travaux futurs mais qui travaillera en collaboration avec le même architecte. Qui est réellement le maître d'œuvre, la Cour ou l'État luxembourgeois ?

Claude Wiseler : La Cour des comptes est, en termes juridiques, le maître de l'ouvrage. Le maître de l'ouvrage est celui qui construit et qui discute avec l'architecte. De toute évidence c'est la Cour des comptes européenne qui assume la fonction de maître de l'ouvrage, après avoir approuvé le projet. La Cour des comptes remboursera par la suite les frais d'études avancés par l'État, ce qui d'ailleurs a déjà été fait en grande partie.

R. C. : Pouvez-vous nous expliquer vos rapports avec le Fonds d'Aménagement et d'Urbanisation du Kirchberg ? Le gouvernement luxembourgeois a cédé à la Cour, au prix symbolique d'1 euro, le terrain sur lequel sera construit notre nouveau bâtiment. Vous avez pourtant acheté vous-même ce terrain du Fonds d'Urbanisation.

Claude Wiseler : Le Fonds d'Aménagement et d'Urbanisation du Kirchberg est un établissement public qui a été créé en 1961 par l'État. Le Conseil d'administration est composé des représentants des différents ministères et administrations concernés. Il s'agit ici d'un établissement public qui tombe sous les attributions du Ministère des Travaux publics. Comme son nom l'indique, sa mission consiste à urbaniser et aménager le plateau de Kirchberg, ce qu'il faut au nom de l'État. Il contribue ainsi à garantir le développement des institutions européennes dans ce quartier de la ville.

Alors qu'auparavant c'était l'État qui construisait, la Cour des comptes a choisi une procédure nouvelle. L'État met à disposition à un prix tout à fait symbolique le terrain. La mise à disposition est juridiquement considérée comme propriété de fait. L'État achète le terrain mais ce n'est qu'une simple opération comptable, alors que, nous l'avons vu, le Fonds d'Urbanisation et d'Aménagement du Plateau de Kirchberg est un établissement public qui se trouve sous la tutelle de l'État.

R. C. : Par rapport aux années '60, il y a une grande valeur ajoutée des terrains au Kirchberg. Il coûterait très cher, si la Cour devait payer elle-même son terrain. En contre-partie, pour l'État luxembourgeois, quelle est la valeur ajoutée d'avoir un nouveau bâtiment de la Cour des comptes européenne ?

Claude Wiseler : La vente à des particuliers de terrains appartenant à l'État par le Fonds Kirchberg génère des recettes. Elles sont utilisées par le Fonds Kirchberg qui ne reçoit pas de dotation budgétaire annuelle, pour financer la construction et l'entretien des infrastructures publiques sur le plateau du Kirchberg.

Pour ce qu'il est de la valeur ajoutée du nouveau bâtiment pour le futur, il est évident que la politique luxembourgeoise est de faire en sorte que les institutions européennes se sentent bien au Luxembourg. Nous considérons que leur place est ici.

R. C. : Comment comptez-vous faire face à l'avenir au manque de terrains au Kirchberg pour d'autres bâtiments des institutions européennes ?

Claude Wiseler : Le comité de coordination des institutions européennes assure la mise en cohérence entre les demandes émanant des institutions européennes et l'offre en terrains disponible sur le plateau de Kirchberg et le Fonds du Kirchberg est représenté dans ce comité. Donc, nous avons pour la Cour des comptes européennes, mais également pour le Parlement européen, la Cour de justice, la Commission, la Banque européenne pour les investissements, dans la planification à moyen et long terme, des terrains que les institutions connaissent, qui ont été identifiés, pour faire face à ces nouvelles extensions.

Par ailleurs, nous avons prévu dans le quartier européen une forte densification pour utiliser au mieux les ressources foncières disponibles : c'est la raison pour laquelle on y trouve plus de bâtiments-tours que dans les autres quartiers au Kirchberg.



VISIT OF ECA PRESIDENT VÍTOR CALDEIRA TO THE SUPREME CHAMBER OF CONTROL (NIK) OF POLAND

By the President's Cabinet



On 29 and 30 June, ECA President Vítor Caldeira paid a 2-day visit to the Supreme Chamber of Control (NIK). Together with ECA Member Jacek Uczkiewicz and ECA Liaison Officer Hendrik Fehr, he was received by the President of the NIK, Mr Jacek Jezierski and by its Vice-Presidents and Director-General. Mr Caldeira gave a presentation on the Court's performance audit during a conference organised by the NIK. He was also received by the President of the Polish Republic, Mr Lech Kaczynski.

In his speech, President Caldeira declared that he was very pleased and honoured by the invitation to give a presentation at the Supreme Chamber of Control of Poland, in a year where Poland celebrates the 20th anniversary of the end of Communism and the fifth anniversary of EU membership, and where the Supreme Chamber of Control celebrates its 90th anniversary.

He remembered well his last visit to Poland. It was to the city of Krakow where, one year before, President Jezierski had hosted the EUROSAI Congress and become its President. On that occasion President Caldeira had had the privilege to address the Congress about leadership and audit quality. This time, he was glad to be in Warsaw, to talk about "Performance Audit at the European Court of Auditors".

After having said a few words about the ECA's legal mandate and stakeholders, President Caldeira came to talk about the ECA's audit strategy and priorities 2009 – 2012. The strategy identifies a number of priority audit areas for the years to come, in particular: EU policy developments in Growth and Jobs; Climate Change and Sustainable Development; Europe as a World Partner; and Better Regulation.

Audit Strategy and Priorities 2009 - 2012

The priority is to focus the selection and design of performance audit tasks on areas of risk and interest of its stakeholders, as well as to produce robust audit conclusions and realistic recommendations for improvement and to follow-up of the measures taken in response to them. The importance of producing timely and the user friendly reports is also emphasised.



In this sense, tasks are envisaged within the stated priorities as regards the management and impact assessment of EU measures (e.g. LIFE nature, rail transport, LEONARDO da Vinci, NGOs involvement in EC Development Cooperation).

ECA's procedures and guidelines

The ECA's Audit Policies and Standards (CAPS) adhere to all the relevant agreed international standards in the field of public performance audit. An ECA specific Performance Audit Manual, based on generally accepted INTOSAI implementation guidelines for performance auditing and current good practices in this area, has been established for auditors at the Court.

In order to provide a framework for the timely delivery of high-quality audit reports and to avoid unnecessary activities, performance audits at the ECA must be undertaken using what is called the "SMARTTEST approach". Each of the letters denotes one of the eight important principles that should guide auditors from the start to the end of the audit. These are:

S - Sound judgment is exercised throughout the audit process.

M - Methodologies are appropriate and combined to capture a range of data.

A - Audit question(s) are set which can be concluded against.

R - Risks to delivering the audit report are analysed and managed.

T - Tools are employed to help achieve successful delivery of the audit.

E - Evidence is sufficient, relevant and reliable to support the audit findings.

S - Structure of the final report is considered from the planning phase onwards.

T - Transparency - a 'no surprises approach' is adopted with the auditee.

Although each performance audit often requires specific methods, some common, basic procedural steps have been developed and are applied in the Court's Performance Audit approaches. There are typically seven major stages, as follows.

First, audit tasks are selected and included in the work programme based on:

analysis of risks;

financial or socio-economic importance of the area;

relevance for the stakeholders; and

the date when the area was covered the last time.

Secondly, selected topics are subject to a 'Preliminary Study' to determine, within a reasonable time limit (at the most 4 months) whether the audit is realistic, auditable and likely to be useful. At this point the ECA considers issues related to the objectives, intervention logic, and indicators¹ of the policy or programme to be audited, as well as the timing and resources needed to conduct it.

Thirdly, an Audit Planning Memorandum (APM) and the Audit Programme are established. Both define the concrete audit scope, approach and objective (or hierarchy of objectives), providing an evidence collection plan as well as a detailed plan of resources, costs and the timetable envisaged.



The fourth stage comprises the conduct of the audit field work and the establishment of "Statements of Preliminary Findings" which are used to confirm with the auditee the factual accuracy of the audit evidence collected.

The fifth stage includes drafting preliminary observations and recommendations on the basis of the findings and the holding of a *contradictory procedure* with the Commission as regards the audit observations and recommendations.

The sixth stage is the approval of the final report, which includes the replies of the Commission by the Court which then translates and publishes it in all the official languages of the EU and presents it to the competent committees of the European Parliament and Council.

Finally, the lifecycle of the performance audit is completed by a follow-up of measures undertaken by the auditee to implement recommendations. It is usually undertaken two to three years after the publication of the report.

Performance audits are subject to quality review and quality assurance processes in the same way as financial audits. However, the audit approaches, methods, questions and subjects for performance audit are very heterogeneous compared to financial audits. This makes ensuring quality and consistency a key challenge for performance auditing. Furthermore, standard methods in the complex field of performance audit of public expenditure have not yet been developed.

As regards EU expenditure, it is worth mentioning that measures undertaken by the EU institutions as part of recent reforms (e.g. the introduction of accrual accounting, Activity Based Budgeting ABB and Activity Based Management ABM) have created a more favourable environment for conducting performance audits. For example, the EU financial regulation explicitly requires the definition of quantifiable objectives and indicators, ex ante and ex post evaluation, as well as the monitoring of progress and annual activity reporting by the Directorates General of the Commission responsible for managing the EU budget. These requirements are likely to provide, in principle, a good basis for the Court to conduct its performance audits, in particular if related to the achievement of EU policy objectives.

1. Indicators should be "RACE : Relevant, Accepted, Credible, Easy and Robust"



Lessons learnt and future challenges

Performance audit is a developing field. However the ECA has been carrying out such audits since it was established more than 30 years ago. This has enabled the Court to develop its approach and learn lessons over time to cope with the complex challenges of performance auditing in a changing EU audit environment.

The Court has established dedicated performance audit units in some areas. It is expected that these organisational arrangements will facilitate the development of auditors' expertise and experience in performance audit, increasing both productivity and the quality of audits.

By conducting often complex performance audit tasks, over the years the Court has learnt to develop and use a variety of methods to deal with challenging audit objectives.

These have included, amongst others, systems auditing (often also linked to FA/DAS audits), the use of focus groups with external expertise to advise the auditors at various stages of the audit process; stakeholder interview techniques; the application of specific IT audit techniques; logic modelling; and engaging consultants for executing specific analysis (e.g., regression analysis and evaluation techniques). Furthermore, the following areas for improvement have been identified:

more realistic planning in terms of resource requirements and deadlines;

tighter definition of the audit scope;

improved report writing methodology (a particular challenge in our multi-lingual environment);

mitigating the effects of staff mobility.

Examples of Special Reports published

In the policy area of “Sustainable Growth” the Special Report 3/2008 dealt with the question: “The European Union Solidarity Fund: how rapid, efficient and flexible is it?”

The report 5/2008 “The European Union’s agencies: Getting results” considered whether the regulatory agencies had planned their activities adequately, introduced sound monitoring tools for these activities and properly reported on their activities and evaluated their results.

“The European Commission Rehabilitation Aid following the Tsunami and Hurricane Mitch” (6/2008) analysed, whether the Commission adequately identified the rehabilitation needs of those affected by these catastrophes and whether the aid - financed out of the heading “The EU as global partner” - was implemented in a timely and efficient manner.

The Report on “The Management of the European Union Support for the Public Storage Operations of Cereals” (11/2008) concerns the budgetary heading “Preservation and management of natural Resources” and examined the question whether EU support for public storage of cereals, aiming at stabilizing related markets and ensuring fair standard of living for the agricultural community, was provided in an economic way.

The Court’s 2009 work programme envisages the adoption of 29 special reports by the end of this year. By mid June 2009, the Court had adopted the following 10 special reports

MEDA

Public Health Programme

Waste water treatment

EC development cooperation

Commission treasury management

Aid for deprived persons

Management of GALILEO

FP6 Instruments, networks and projects

EPSO

Promotion and info of agricultural products

Cooperation between SAIs and the ECA

Developing common performance audit standards is a challenge, not only for the ECA but for the whole audit profession. In this respect, the Contact Committee Working Group on common audit standards, chaired by the ECA, has an important role to play. It focuses, inter alia, on common auditing standards and comparable audit criteria in the field of performance audits, including optional “Interpretative Notes” covering the practical aspects, relevant approaches and experiences of the different SAI’s in auditing EU funds.

More recently, at the last Contact Committee held in December 2008 meeting which dealt with the Lisbon Strategy and at the workshop held in February 2009 at ECA in Luxembourg on crisis measures, it became evident that audits related to the Lisbon Strategy and the measures to combat the economic and financial crisis, are of common interest to Member States’ SAIs. The forthcoming workshop to be organised by the Finnish Auditor General in September this year, aims to establish a network for facilitating exchanges of experiences, information and promote parallel and joint audits amongst and between the SAI’s and ECA.

In his conclusion President Caldeira declared himself confident that the European Court of Auditors and the EU SAIs – within their respective mandates – will continue to cooperate in this area, on all relevant levels, while addressing common audit challenges. “Mutual Experience benefits all”, as INTOSAI’s motto says.



MRS CECILIA MALMSTRÖM, SWEDISH MINISTER FOR EUROPEAN AFFAIRS, PRESENTS THE WORK PROGRAMME OF THE UPCOMING SWEDISH PRESIDENCY IN THE EUROPEAN COURT OF AUDITORS, ON 15 JUNE 2009

By Rosmarie Carotti



Mrs Cecilia Malmström, Swedish Minister for European Affairs, **Mr Lars Heikensten**, Swedish Member of the Court

On 1 July Sweden takes over the Presidency of the European Union. With the aim of providing a wider view of what goes on in the European debate, Mr Lars Heikensten, Swedish Member of the Court, invited Mrs Cecilia Malmström for an information session at the European Court.

Mrs Cecilia Malmström a Member of the European Parliament between 1999 and 2006, is well-known in Sweden for being a strong proponent of the European project and the euro.

The ambition of the Swedish Presidency, during which Mrs Malmström plays a central coordinating role, is to be as open, transparent and as inclusive as possible. Sweden enters this Presidency with a clear drive but also an awareness of the current difficult times, led by a severe economic crisis. There is a newly-elected European Parliament and, there will be a new Commission in the autumn. The ratification of the Lisbon Treaty is uncertain and a referendum in Ireland is foreseen for October. **Two issues are highest on the agenda : the economic crisis and the climate crisis.** Work will be put into over viewing, implementing and evaluating what has been done both on the European level and on the national level, to follow up what has been decided and will be decided in the framework of the Larosière report.

The Swedish Presidency will be involved in the **preparation of the G-20** and in structural reforms, in particular the supervision of the financial systems in order to increase transparency. It will also have to see closely how Europeans can help each other during this crisis without competing with each other.

In the longer term perspective, the aim is to come out of this crisis stronger than before, to develop the future of the Lisbon strategy and the growth and stability pact of the European Union. Even if there is a clear move upwards, there will probably still be some very tough times, this year and next year, in particular regarding unemployment.

MRS CECILIA MALMSTRÖM, SWEDISH MINISTER FOR EUROPEAN AFFAIRS, PRESENTS THE WORK PROGRAMME OF THE UPCOMING SWEDISH PRESIDENCY IN THE EUROPEAN COURT OF AUDITORS



Mr Vitor Manuel Caldeira, President of the Court, **Mrs Cecilia Malmström**, Swedish Minister for European Affairs, **Mr Lars Heikensten**, Swedish Member of the Court, **Mrs Ingrid Hjelt af Trolle**, Director General, EU Coordination Secretariat, Prime Minister's Office and **Mr Ola Pihlblad**, Conseiller.



An **international conference** is scheduled for December in **Copenhagen**, where global partners will meet in order to achieve a **new global post-Kyoto agreement**, reduce emissions and move towards a more energy efficient and ecological society. The EU goals are very high and ambitious and they need now to be financed.

Europe must handle both crises at the same time and find ways of being more competitive in a sustainable way. These two processes can interact and strengthen each other. Europe shall not fail its commitments, even if the enthusiasm for tackling climate change has weakened with the economic crisis.

The Swedish Presidency also hopes to reach a decision on a **Baltic Sea strategy**. The Commission has presented a proposal which will need to be adopted and put into action. The 8 States around the Baltic Sea could cooperate much closer, without additional bureaucracy, new administration, new budget, just using the fact that they are members of the EU in a more intelligent way. Using the EU as a tool to interact in a more regionally integrated way, they could help to save the environment of the Baltic Sea and increase their economic strength and maritime security.

The **five-year programme of The Hague** concerning cooperation under the third pillar in the area of migration, police, and asylum will have to be updated. A new proposal to that purpose has been presented by the Commission.

The **negotiations with the candidate countries** will have to go on. Sweden hopes to be able to put negotiations with Croatia back on track. Signs indicate that soon there will be an application from Iceland as well. Also this country, which already fulfils many criteria, will be treated like all the other candidate countries, with strict conditionality.

The **Eastern Partnership**, launched by the Czech Presidency with the aim of deepening the relations with six neighbouring countries, will need to be concretized. And a number of summits are planned : with the US, with Russia, Ukraine, Korea, South-Africa, India and China.

Sweden looks forward to pursuing this agenda. Despite not being in the euro-zone, it will act with its full heart for Europe. In the last European elections the pro-European forces won in Sweden and all polls show that Swedes are more positive towards the EU than ever before.



BANK CRISIS, THEN AND NOW

Questions to Mr Lars Heikensten, former Governor of the Swedish Bank and Member of the European Court of Auditors

By Rosmarie Carotti

Mr Lars Heikensten gave on 6 July 2009 a presentation in the Chamber of Commerce in Luxembourg on « Bank Crisis, then and now ». This presentation was followed with great interest as he was former Governor of the Swedish Central Bank and is today Member of the European Court of Auditors. He answers some questions which more specifically might interest people working in our institution.



photo : Anouk Antony - Lux Wort

Mrs Agneta Södermann, Swedish Ambassador, Mr Lars Heikensten, Swedish Member of the Court, Mr Yves Mersch, President of the Central Bank of Luxembourg

R. C.: We are faced with a global crisis. Can you suggest a way of getting all parties around one table? Who would have to take the initiative and the lead?

Mr Lars Heikensten: The fundamental issue is clear. Economic and financial integration has gone much further than political integration. What we have seen during the recent years is to some extent a retreat from internationalisation. Previous cross-border banks have in some cases become national. And banks under pressure in some countries have given priority to national customers. This is unfortunate indeed. Integrated financial markets could be one of the main drivers behind economic growth in Europe.

What we need is in my opinion more - not less - international cooperation. Rules and regulations for banks should be made broadly similar between countries while supervision needs to take international linkages into account.

How to get there is difficult. Countries have different regulatory traditions. Also, some countries might want to explore the differences for competitive purposes. A lot of work is now being done in IMF, in the so called Stability Forum, in the BIS (Bank for International Settlements) etc. This will probably solve many of the technical issues involved. But in the end what is needed is political will, leadership.

Europe ought to take a very active role in this process. The EU is big enough to set the tone if the Member States are prepared to act together. Will they? Some things will surely be done; some new initiatives will be carried through. But I doubt that it will be enough.

R. C.: Sweden has taken over the presidency of the EU. How can it reach a political consensus on stronger banking regulation? What is your concept of supervision?

Mr Lars Heikensten: A lot of work has been done by the so called de Larosière group and by the Commission to prepare a structure for better future supervision in Europe. A proposal is now on the table. It outlines a structure for enhanced cooperation between national supervisors and proposes a systemic risk council, to analyze the broader systemic financial risks in the EU as a whole, under the wings of the ECB.

I think these proposals make sense. But there are difficult issues involved. If a financial institution gets into problems today - in practical terms - it can only be saved by national states and national budgets. Hence, one should not be surprised if the Member States want to have a last say in supervision. At the same time, there are real risks when cross-border banks are in action for other countries than those where the banks have their "home". Also, one might not see the problems and risks unless one has the whole picture of activities in other countries. In the end, I believe that we need common rules and common supervisors if we want to have a stable and integrated financial system.

There are also more acute issues. We know that there are a lot of bad assets in the banking systems of several European countries. We also know that the US has dealt with their problems more swiftly than the EU; recapitalization of the banks has been faster. And this is very important, because if there is anything we have learnt clearly from previous crises, it is that if the banks do not start functioning again it will not be possible to get decent growth back on track.

R. C.: In the light of the different budgetary situations of the EU Member States to what extent can and shall national budgets cover the losses created by the financial crisis?

Mr Lars Heikensten: First of all, we should not save banks to save jobs. If that was the argument, we should save all companies in problems; car manufacturers, whatever, and that would clearly be a recipe for budget problems and also in the end a lower living standard. In fact, we should not even save banks. What we need to safeguard is a functioning financial system giving credits in normal ways.

Of course, if governments step in to recapitalize banks it will have budgetary effects. And it also –not at all surprisingly - raises political anger. However, one needs to consider the results of “non-action”. And the costs of that has been proven in previous crises to be much higher.

In the Swedish crisis, roughly 6 billion euros was spent by the government taking over banks and bad debts. But in the end all was regained. Once the economy started to grow again the government could gradually sell the assets taken over and get the money back. So the essential is getting the economy back on track.

R. C.: Looking back at previous crises, Sweden had opted for rapid writing off the losses while Japan had not. Looking back at your own experience with the Swedish crisis, what lessons can be drawn and what formula would you propose today?

Mr Lars Heikensten : There are different lessons to draw from the Swedish crisis. The most important is what we have just talked about. Dealing swiftly with the banks to recapitalize them is essential.

There are also good reasons to move the bad assets to separate entities, to free the banks in order to concentrate on lending and the future. Also, this model implies that the task of gradually – and in the most profitable way - getting rid of the bad assets could be left with professionals.

A third lesson has to do with compensation to the owners. In the Swedish case they did not get any compensation once the government had to take over. There is a basic logic to that. A bank that cannot function is not worth anything. Also, it did of course help, in political terms, in getting acceptance from the public for the recapitalization. Perhaps I should add that the banks were not taken over for very long. They were partly restructured and privatized.

A final important lesson had to do with transparency. In a situation as the one we have presently, there is a lack of trust and credibility in the whole financial system. If some actors' fear that their counterparts have severe problems, they will not want to deal with them. Gradually the crisis might then deepen. For that reason the stress tests pursued in the US were useful. They helped the market get a better idea of the situation in the system including the levels of bad debts. I personally believe that a similar approach – with European wide stress tests - would help. There are now very different views on how severe the situation is.

Lack of trust can prolong the downturn. This is precisely what happened in Japan.

R. C.: As a long-term policy, you suggest to improve fiscal frameworks. What would this entail at European level?

Mr Lars Heikensten : The fiscal problems in Europe were difficult before this crisis. Several countries have not played according to the rules in the Stability and Growth Pact. Hence, debt levels were too high and the Pact did not at the outset of the crisis have the credibility it should have had. On top of this, we have in many countries a problem with an aging population putting high demands on public budgets during the next decades. This is not given much consideration in the Pact.

Now, within the last year, the fiscal situation in the Union has rapidly deteriorated further. This is not surprising given the lack of demand. In fact, to some extent it is only good economics. The mistakes in most European countries were made earlier. Fiscal policies in most countries should have been more stringent both in the late 90's and during the last upturn. But as quickly as possible - when the economies turn around - public budgets need to be put on a sounder footing.

There are no simple solutions here. One way to approach the issue might be to sketch programs for all Union countries for the next five years, showing "ways" to a sounder fiscal position. And to get some sort of agreement on this in ECOFIN. These paths have to differ between countries since some already now have very little room to manoeuvre. In my opinion, this should be combined with rules for national fiscal frameworks. They are too weak in many Member States. I also personally believe that work should be started to change the Stability and Growth Pact. Cyclical effects should be taken into account in a better way than today, e.g. by having targets for budgets set in terms of deficits corrected for the cycle. But on this I probably do not have an agreement with my previous colleagues in the ECB.



«FOCUS GROUP» MEETING HELD IN LUXEMBOURG ON 8 TO 10 JULY 2009 IN THE CONTEXT OF THE COURT'S AUDIT OF THE COMMISSION'S IMPACT ASSESSMENT SYSTEM

By Rosmarie Carotti



Mr Henri Grethen, Member of the Court, warmly welcomed the participants to this two-day “Focus Group”, including observers from the Commission’s Secretariat-General. Mr Grethen explained that in 2008, the Court had identified the Commission’s strategy to simplify the EU’s regulatory framework as one of its priority audit areas related to the “Lisbon strategy”: the Court had then decided to have a closer look at “Better Regulation”, and more precisely at Impact Assessments carried out by the Commission. The audit fieldwork having been finalised in June 2009, Mr. Grethen thanked the team for the considerable work undertaken during the last 9 months.

The preliminary findings, conclusions and recommendations of the audit team are summarised in the report submitted to the “Focus Group” experts for review and discussion. In his speech Mr. Grethen made clear that this technical report does not yet represent the views of the Court as an Institution, but is rather meant as an input to the discussions of the experts. He then encouraged the experts to be very critical, but yet constructive, in their review, saying: *“If we cannot convince you, as experts, in the field of ‘Better Regulation’, it will be even more difficult to convince a wider public”*.

The “Focus Group” was organised by an experienced team of facilitators of CM International under the responsibility of Meirion Thomas. In 2007, Meirion already led the team that facilitated a “Focus group” as part of the Court’s audit of the evaluation and monitoring system of the European research programmes (see Special Report 9/2007). In his introduction, Meirion defined “Focus group” as a *“group of people selected for their relevance to an evaluation that is engaged by a trained facilitator in a series of discussions designed for sharing insights, ideas and observations on a topic of concern”*. He also stressed that the purpose of the Focus group is not that the experts conduct their own assessment but that they help to improve the analysis, conclusions and recommendations formulated by the audit team (see Interview).



INTERVIEW

Meirion Thomas - CM Facilitator

R. C.: You are an experienced facilitator. What is the particular, the specific challenge of being a facilitator in the European Court of Auditors?

Meirion Thomas: In the European Court of Auditors there are two main challenges: one is that you are always going to be dealing with really quite technical issues, and in order to make the Focus group work you need participants who are very experienced. As a facilitator you can't possibly match or try to match the experts. So that's a real challenge, the technical expertise you are surrounded with as a facilitator.

R. C.: Does the process stay the same or do you also update the process? You have previously been here for another Focus group on Research. Did you subsequently update the process?

Meirion Thomas: Each process has to be different. It depends on at which point of the audit process the Focus group takes place, whether it is at an earlier stage where you can cover a lot more breadth in the topic. At this stage, where we are quite close to the end of the process, there is already an audit report which is quite well developed and therefore what we are trying to do is more focus on the conclusions which are in the audit report. We have to structure the Focus group sessions in a slightly different way. We have to be much more specific about what we want out of each session.

R. C.: I assume you are also very much aware of the political implications this report might have. How do you face this risk?

Meirion Thomas: We really have to make it clear that the Focus groups are not redoing the audit itself. They contribute to the process in the same way that a review of reports contributes to the process or visits to some best practice operations or organisations also contribute to the process. It does not replace the audit process; it does not provide a shortcut to the audit results. We take the opportunity with groups of experts who are very knowledgeable to get them to add value to the audit findings.

R. C.: If such a report was a flop, who would take the responsibility?

Meirion Thomas: The responsibility for the audit lies with the European Court of Auditors. Our responsibility as organisers and facilitators of the Focus group is to ensure that through the Focus group processes, that we go through with the participants, the auditors can benefit from the added value of a critical review by the experts in the field.

Finally, the task leader Andreas Bolkart then gave a short summary of the audit process, including the preliminary study, the APM and the audit fieldwork and presented the main findings resulting from this work. According to his timetable, a draft report will be presented to Audit Group II in October/November 2009.

Discussions of the experts in break-out sessions started on Wednesday afternoon and continued until Thursday, followed by a plenary session where the different groups presented their verdict.

VIEWPOINTS

Peter Ladegaard – World Bank

R. C.: You represent the World Bank. What is the interest of the World Bank in this Focus group?

Peter Ladegaard: The World Bank is not only working with let's say our traditional developing countries but also very developed countries. We provide advice to leading countries but also some countries which make impact assessments in the EU and the OECD area. So we have an interest in following this.

The other part of the answer is that obviously what the EU is doing in this area has implications way beyond the EU. The EU models for impact assessment may influence a lot of our traditional client countries. So we are interested in being part of this and also to the extent possible influencing by giving our advice on how we think this could go forward.

Finally, we come here because we believe it is a pretty good piece of work which has been done here. We would like to congratulate it and follow up with the Court of Auditors, but also with the Commission later on.

R. C.: Is it the first time you come to us for such an exercise?

Peter Ladegaard: It is indeed the first time we are working with the European Court of Auditors. It is a general trend that audit offices are moving more and more into this area of regulatory formal impact assessment. It is a development we welcome very much. It is the first time we have seen it on the EU level and the Commission level, and we welcome it. We hope to be back later on as well.

Mr Edward Donelan – Sigma/OECD

R. C.: Mr Edward Donelan you come from the OECD, are you sent by your institution or are you here as an expert?

Edward Donelan: I have come at my own initiative but obviously I am here as an expert in regulatory impact analysis (RIA). My work involves working jointly with the Commission and the OECD to provide assistance with the candidate and potential candidate countries. So I am particularly interested to know the progress the Commission is making with the impact assessment because many of these countries would like to adopt a similar system of impact assessment.

Richard Baynham – National Audit Office (NAO)

R. C.: We would like to hear about the experience the NAO has with impact assessment and “Better Regulation”.

Richard Baynham: In the NAO we have a group of people who look at regulation generally and, within that, a team which has a better regulation agenda. So there are two key reports each year, the first looks at the quality and use of impact assessment and we publish an annual assessment of that in the UK. The second looks at government efforts to reduce the burden of complying with regulation. It assesses the government's progress towards the 25% reduction target and it looks at the impact that program is achieving.

Another strand of work looks at the Hampton agenda. I do not know if they have it here. It is essentially looking at how regulators inspect and enforce. It is looking at the extent to which the inspection regimes are proportionate and effective and risk-based.

R. C.: I think that the most difficult for us, as European Court of Auditors, is indeed to judge the implementation at national level or the impact of better regulation at national level.

Richard Baynham: It is a crucial question. Impact assessment is creating a set of criteria and evaluating quality against those criteria. You can look at the progress government is making towards a further reduction target. The way we address that is that we run an annual survey of businesses. We monitor year on year whether business perceptions of complying with regulation are changing. We have a number of indicators so that we can survey companies and test if things are improving or getting worse.

R. C.: How can this be transposed to the European level?

Richard Baynham: There is a challenge there. It is potentially easier to evaluate at a national level but what is interesting is that a number of other countries are starting to measure business perceptions at national level, the Danes are doing it, the Dutch are doing it, and I think other countries are interested in doing it. That potentially provides a body of evidence from different national countries which gives a much wider overview of the impact of these programs across Europe. But it is a difficult issue to tackle.



Some background information on the Commission's Impact Assessment system and the use of a "Focus Group" in the Court's audit

by Martin Weber, Head of Cabinet

The Commission's Impact Assessment system was introduced in 2003 as one of the main tools for the implementation of its 'Better Regulation' policy. It aims at ensuring evidence-based policy-making through an integrated and balanced assessment of the possible consequences of new legislation.

The audit started in September 2008. After completion of the fieldwork in June 2009 we now have to validate the findings and to decide on how to report them to the European Parliament, the Council and the wider public. This is not an easy task, in particular for a topic which covers all policy fields of the Union, it is in many aspects very technical, and - even more important - politically sensitive. The contributions from recognised experts in the field are therefore of great importance when shaping the form and main messages of a draft Special Report.

As set out in the APM for this performance audit, a 'Focus group' has been set up for this purpose. Within this "Focus Group", experts are asked by an external facilitator to critically, but constructively, review the audit work: the standards that were applied to judge whether the Commission's Impact Assessment system leads to 'Better Regulation', the facts and findings reported, the conclusions drawn from this and finally, whether the recommendations made in the report would help to mitigate the shortcomings observed by the audit. This is done using a set of questions that allow comparing and consolidating the outcome of the different sub-groups and sessions. As is usual practice, and given the preliminary nature of the report, all experts had to sign a confidentiality agreement in advance. It is also worthwhile mentioning that more than half of the experts came at their own expenses to Luxembourg.

After the event, a report summarising the proceedings and the outcome of the discussions is to be prepared by the facilitators. This report is then part of the body of audit evidence, and will in particular inform the next steps to be taken in the course of this audit.



« LIFE LONG LEARNING » OU « COMMENT INVESTIR DANS SA MATIÈRE GRISE ? »

Par Rosmarie Carotti

Séance organisée par le Cabinet luxembourgeois et l'Unité de la Formation professionnelle



Institut National
pour le développement
de la Formation
Professionnelle Continue



Le portail de la formation professionnelle continue



Chaque État ou chaque entreprise se doit de renforcer sa compétitivité. Parmi les stratégies de développement, tant collectifs qu'individuels, un rôle important revient à la formation professionnelle continue. Le secteur public européen n'échappe pas à cette règle.

Bien sûr, comme toutes les institutions européennes, la Cour des comptes a sa propre formation professionnelle continue. Mais pourquoi les fonctionnaires européens, en tant que citoyens, ne devraient-ils pas aussi pouvoir profiter des offres de formation continue existantes au Luxembourg et dans la Grande-Région ?

De là, la décision du Cabinet luxembourgeois de M. Grethen d'organiser cette séance sur les possibilités de formation continue offertes à tous les collaborateurs de la Cour au Luxembourg.

M. Edouardo Ruiz Garcia, Secrétaire général de la Cour, souhaite la bienvenue et remercie de cette initiative qui a le double but d'informer non seulement le personnel mais aussi l'institution des possibilités de formation existantes.

M. Marc Hostert, Expert national détaché auprès du Cabinet de M. Grethen, explique que le life long learning s'adresse en premier lieu aux citoyens et salariés qui veulent maintenir et développer leurs capacités intellectuelles et leurs connaissances. Le life long learning peut pourtant aussi bien être une façon de motiver le personnel à se tenir à jour dans un environnement où le savoir évolue à une vitesse de plus en plus accrue.

M. Dominique Matera, chargé de direction de l'INFPC (Institut National pour le développement de la formation professionnelle continue) présente le cadre général de la formation professionnelle continue au Luxembourg.

L'INFPC est un établissement public placé sous la tutelle de Ministère de l'Éducation nationale et de la Formation professionnelle. Sa mission consiste à médiatiser le concept de formation professionnelle continue au sein du tissu économique et à fédérer l'ensemble des acteurs socioéconomiques autour de la finalité commune de développement de la formation professionnelle continue.

L'INFPC gère un portail d'information sur la formation – www.lifelong-learning.lu – qui permet à son utilisateur de trouver les formations adaptées à ses besoins. Ce portail est présenté par Mme Anne Oswald, chef de projet de l'INFPC. www.lifelong-learning.lu est une plate-forme

dynamique d'accès à l'information, qui présente un catalogue de quelque 2800 formations, alimentée par les quelque 80 offreurs de formation.

Les chambres professionnelles participent également à l'élaboration de la politique d'éducation et de formation professionnelle continue. L'offre de formation de la Chambre de Commerce est ainsi présentée par M. Paul Emering, chargé de direction, et l'offre de la Chambre des salariés par M. Carlo Frising, conseiller de direction.

La Formation professionnelle de la Cour est représentée par Mme Elisabeth Tuerk, Chef d'unité ad intérim. La Cour offre, dans le cadre de son programme de formation professionnelle adopté pour 2009, 84 cours qui suivent un planning établi l'année dernière et qui veulent répondre aux objectifs prioritaires de la Cour, mais d'autres initiatives sont aussi les bienvenues.

L'échange d'informations avec l'INFPC revêt, selon Mme Tuerk, un intérêt particulier pour la Cour dans le cadre de la coopération interinstitutionnelle et internationale en matière de formation professionnelle. Elle informe que les règles internes de la Cour en matière de formation professionnelles prévoient la possibilité d'introduire une demande de participation à des cours externes qui ne sont pas délivrés par la Formation professionnelle de l'institution.

Ainsi, l'offre disponible sur www.lifelong-learning.lu pourrait s'ajouter aux autres offres de la Cour, ce qui est particulièrement intéressant pour les conjoints et partenaires des fonctionnaires, dont la participation se limite aux cours de langues, et cela uniquement à la condition qu'il reste des places libres.

Le directeur des Ressources humaines devrait analyser l'offre de l'INFPC pour voir si les formations proposées répondent aussi aux besoins spécifiques de la Cour. Il ne s'agirait pas d'une ouverture générale aux cours fournis par l'intermédiaire de l'État, car l'évaluation se ferait au cas par cas, mais dans certains cas les conditions pour un intérêt partagé ou entier de la Cour aux formations pourraient être remplies.

Reste que, en tant que citoyens résidents dans le pays, les fonctionnaires européens peuvent s'inscrire à toutes les formations offertes au Luxembourg. Il faut cependant faire une distinction en ce qui concerne les aides de l'État, qui sont réservées aux personnes inscrites à la sécurité sociale luxembourgeoise. Dans le contexte des institutions européennes, les aides s'adressent donc surtout aux conjoints, partenaires et enfants, s'ils sont inscrits à la sécurité sociale luxembourgeoise.



DISCOURS À L'OCCASION DE LA FÊTE NATIONALE ITALIENNE, LE 16 JUIN 2009

Par M. Massimo Vari, Membre de la Cour

Je souhaite d'abord remercier tous ceux qui sont venus ici partager cette occasion de fête et d'amitié.

Au moment de réfléchir à quelques mots d'introduction, je me suis interrogé sur la signification des célébrations des fêtes nationales qui jalonnent agréablement notre « année sociale » à la Cour.

La réponse que je me suis donnée est qu'elles visent normalement à marquer un événement majeur de l'histoire d'un Pays: la libération du territoire, la promulgation de la Charte Constitutionnelle, le changement de la forme d'état : tel est le cas pour l'Italie, dont la fête nationale rappelle le référendum institutionnel, à l'issue duquel le Pays remplaça la monarchie par la république. Mais ces fêtes sont aussi l'occasion pour présenter quelques aspects de nos Pays respectifs et pour témoigner ainsi de notre attachement à une communauté nationale. Ceci est plus que légitime : l'Europe n'a jamais renié sa diversité interne ; elle reconnaît au contraire le pluralisme culturel et les particularités nationales comme étant à la base de son unité. Ainsi le Préambule du Traité sur l'Union évoque-t-il l'approfondissement de la solidarité entre les peuples « dans le respect de leur histoire, de leur culture et de leurs traditions » ; et l'article 2 du même Traité, tel que modifié par Lisbonne, précise que l'Union sauvegarde le patrimoine culturel européen en respectant « la richesse de sa diversité culturelle et linguistique ».

Par les célébrations des fêtes nationales, nous soulignons donc qu'il y a une imbrication profonde entre identités nationales et identité européenne, entre appartenances plurielles et appartenance commune et nous rappelons qu'en Europe chaque composante garde sa spécificité, tout en créant, avec les autres, un ordre plus complexe – et aussi plus riche - que l'ordre initial.

Voilà l'Europe qui, pour reprendre Ralf Dahrendorf, se caractérise essentiellement par son unité dans la diversité. Comme on peut lire dans l'« Europäische

Tagebuch » (je cite de mémoire), il n'est pas important qu'il y ait des frontières; ce qui importe vraiment est que les frontières puissent être aisément franchies.

Dans ce sens, on peut dire qu'une Europe sans frontières a déjà existé, autour des monastères (Cluny, Cîteaux, Clairvaux) et des universités (notamment celle de Paris). Anselme d'Aoste a pu arriver aisément jusqu'en Angleterre et y devenir archevêque de Canterbury; Thomas d'Aquin a pu rejoindre son maître Albert Magne à Cologne, et donner des cours avec lui à Paris ; Erasme de Rotterdam voyageait sans problèmes dans le Royaume de France et dans les différents Etats italiens, en écrivant, le long du chemin, son *Eloge de la folie*, qu'il dédia à Thomas More, chancelier d'Henri VIII.



Aujourd'hui, face à un certain désintérêt, voire désaffection pour l'Europe (dont témoigne par exemple le taux d'abstention aux récentes élections du Parlement), notre tâche est celle de prolonger et perpétuer le patrimoine culturel commun. Ce patrimoine est la synthèse de

l'autonomie du citoyen grec et de la cohérence du droit romain, de l'organisation politique de Charles Magne et de la fraternité de l'évangile.

Si nous repassons tout cela dans notre esprit, nous trouvons les repères dont on a besoin pour faire émerger la conscience de ce que partagent les Européens. Il suffit de s'inspirer des « héritages culturels, religieux et humanistes de l'Europe », à partir desquels sont nées à nouveau, après les dévastations et les drames du vingtième siècle, les valeurs universelles qui sont à la base du processus de construction civile, sociale et politique de l'Occident.

L'Europe est, comme l'a appelée Edgar Morin, notre « communauté de destin ». Il s'agit, alors, de construire un nouvel humanisme, en redécouvrant la valeur de la personne en tant que fondement sur lequel concentrer les aspirations vers une nouvelle saison de paix, de promotion humaine et de progrès. Sur cette base, l'Europe pourra être vraiment *communis patria*, notre patrie commune.



ON THE OCCASION OF THE NATIONAL DAY AND THE MILLENNIUM OF THE NAME OF LITHUANIA ON 29 JUNE 2009

By Rosmarie Carotti



Ms Nijolė Žaimbaitė, Ambassador of the Republic of Lithuania to the Kingdom of Belgium and to the Grand Duchy of Luxembourg and Ms Irena Petruškevičienė, Member of the Court

In 2009 Lithuania celebrates the millennium of its name and Vilnius, the capital, also happens to be European Capital of Culture 2009.

Ms Irena Petruškevičienė, Member of the Court received the Ambassador of the Republic of Lithuania to the Kingdom of Belgium and to the Grand Duchy of Luxembourg, H.E. Ms Nijolė Žaimbaitė and invited to a reception and the opening of the exhibition « Ex-libris ».

“Ex-libris” are small form graphics and prints made by artists, originally to indicate the owner of the books and later to illustrate or decorate the books of a library. In this exhibition all artists were from Lithuania, as Vilnius has for a long time been an important centre of production of ex-libris.

As Ms Irena Petruškevičienė said: « Our National Day provides us with an occasion to remind ourselves of our heritage, to consider who we are, to reflect on our traditions and customs, and above all, to take pride in our country.

While we miss the celebrations at home, living abroad provides us with the special opportunity to share with you our history, and to present to you our culture, our art and our people.

In previous years, we have had exhibitions of photography, fashion and architecture. This year, we propose the “Ex libris” exhibition, which includes works of the most outstanding artists in this field and which has had success not only in Lithuania but also abroad.”

H.E. Ms Nijolė Žaimbaitė remembered the first step of Lithuania becoming a State :

« We are celebrating 1000 years since the name Lithuania-Lietuva first appeared in written sources in the year 1009. Thus our written history started.

The next step was two hundred years later – on 6th July 1253 our first and only King Mindaugas was crowned and thus started the integration of the Lithuanian state into European Christian culture.

By introducing Lithuania into the family of Christian countries in the 13th century, King Mindaugas fatefully started Lithuania's western European orientation and opened possibilities to use the fruits of Latin civilisation – to learn Christian writing, science and art.

That is why the crowning of King Mindaugas is celebrated in Lithuania as a State day.

Today we are members of the EU, NATO and the global family of nations and states, whose representatives are present today.

We look ahead optimistically because we are among friends, people from the hospitable Grand Duchy of Luxembourg, European institutions and diplomats.

Last, but not least - the Exhibition. Books are very important for us. They were the source of freedom and independence during the prohibition of the Lithuanian press.”

The Journal takes the liberty of publishing one page from:

THE SEIMAS OF THE REPUBLIC OF LITHUANIA

RESOLUTION ON THE FIFTH ANNIVERSARY OF LITHUANIA'S MEMBERSHIP OF THE EUROPEAN UNION

30 APRIL 2009,
VILNIUS

The Seimas of the Republic of Lithuania,

commemorating the fifth anniversary of Lithuania's membership of the European Union;

being confident that the Republic of Lithuania membership of the European Union is consistent with the European identity of the Lithuanian nation, the European relations and cultural heritage fostered by the State of Lithuania for centuries;

emphasising the importance of the five years of Lithuania's membership of the European Union for the country's more rapid and all-round development, democracy, security and stability;

noting Lithuania's active participation in creating and implementing the European Union internal and external policies, safeguarding its core values and strengthening solidarity between the Member States;

welcoming the achievements of the European Union development and partnership policies of the last decade, their profound influence on the democratic development and all-round progress of the states seeking membership or closer partnership with Europe;

acknowledging the importance of further integration of the European Union Member States with a view to strengthening the political influence of the European Union in the world and the competitiveness of its economy;

believing that it is essential to continue creating and consolidating the ability of the European Union to unanimously react and jointly act in the face of global challenges, tackling climate change, energy security, migration, public security and other relevant issues,

approves further coordinated actions of the European Union Member States, consolidated effort and joint measures aimed at ensuring the stability of the financial system and the economy of the EU at large and each Member State, while overcoming the current financial and economic crisis and reviving the economy;

supports further enlargement of the European Union, the European Union's Eastern Partnership initiative, a constructive, purposeful and co-ordinated partnership with Russia and emphasises the importance of the European Union's Baltic Sea Strategy;

considers joining the Schengen Area to be a milestone in Lithuania's European integration, also stressing the need for further consistent and coordinated action to achieve the earliest possible integration of Lithuania into the Economic and Monetary Union;

seeks integration of Lithuania's energy systems into the common European Union systems and energy markets as a goal of strategic importance for the national security and hopes that solidarity between the European Union Member States will help to attain this goal within the shortest possible period of time;

expresses Lithuania's determination to continue properly contributing to further development of the single European Union and expresses belief that the membership experience will allow Lithuania to appropriately perform the functions of the European Union Presiding Member State in 2013.



REMISE DES INSIGNES DE CHEVALIER DANS L'ORDRE NATIONAL DE LA LÉGION D'HONNEUR À M. MICHEL HERVÉ, ANCIEN SECRÉTAIRE GÉNÉRAL



Sur proposition de Monsieur Eric Woerth, Ministre du Budget, des Comptes publics, de la Fonction publique et de la Réforme de l'État, Monsieur Michel Hervé, Secrétaire général de la Cour des comptes européenne de 2001 à 2008, s'est vu remettre les insignes de Chevalier dans l'ordre national de la Légion d'honneur. Les insignes lui ont été remis par Monsieur André Rossinot, ancien Ministre et Maire de Nancy, le 2 juillet 2009 à l'Hôtel de Ville de Nancy.

Nous transmettons nos félicitations les plus sincères à M. Hervé.



DER FALL DER BERLINER MAUER – 20 JAHRE DANACH THE FALL OF THE BERLIN WALL – 20 YEARS AFTER

By Rosmarie Carotti



Photo: Gilles Wunsch-I- P-W

From left to right : Mr Hans-Dietrich Genscher, former Foreign Minister of the Federal Republic of Germany, Mr Jiří Dienstbier, former Foreign Minister of Czechoslovakia, Mr László Kovács, former Foreign Minister of Hungary and currently EU Commissioner and Ms Colette Flesch, former Foreign Minister of Luxembourg,

This year sees the twentieth anniversary of the fall of the Berlin Wall. To mark the occasion the Pierre Werner Institute organised a commemorative panel discussion on 11 June 2009 in the Chamber Music Auditorium of the Luxembourg Philharmonic Hall.

Taking part in the discussion as contemporary witnesses of the event were Hans-Dietrich Genscher, Foreign Minister of the Federal Republic of Germany at that time, Jiří Dienstbier, Foreign Minister of Czechoslovakia after the transition to democracy and László Kovács, former Foreign Minister of Hungary and currently EU Commissioner. The discussion was chaired by the former Foreign Minister of Luxembourg, Colette Flesch. All the participants knew one another from the past. Mr Genscher and Mr Kovács had worked together as foreign ministers and Mr Genscher and Mr Dienstbier had been friends since the Prague Spring, when Mr Dienstbier was a young journalist and Dubček-supporter.

As Mrs Flesch put it, here they had all come together again in little Luxembourg, a country which was nevertheless very much aware that even small countries can make things happen.

Mr Hirsch, Director of the Pierre Werner Institute, reminded the meeting that recollection of the past was indispensable for the future, particularly in today's Europe after the recent European Parliament elections, where it had become clear, to use Willy Brandt's words, that much of what belonged together had not yet grown together.

In 1989 thousands of East Germans fled the GDR. The Berlin Wall, which had been the symbol of the division of Germany for more than 28 years, from 13 August 1961 to 9 November 1989, fell in the night of Thursday 9 November to Friday 10 November 1989.

DER FALL DER BERLINER MAUER – 20 JAHRE DANACH THE FALL OF THE BERLIN WALL – 20 YEARS AFTER

DER FALL DER BERLINER MAUER
20 JAHRE DANACH

PODIUMSDISKUSSION - PANEL DISCUSSION

Hans-Dietrich Genscher
Bundesaußenminister a.D., Deutschland
Former Foreign Minister, Germany

Jiří Dienstbier Außenminister a.D., Tschechien
Former Foreign Minister, Czech Republic

László Kovács Außenminister a.D., Ungarn
Former Foreign Minister, Hungary

Moderiert von moderated by
Colette Flesch Außenministerin a.D., Luxemburg
Former Foreign Minister, Luxembourg

Wie reagierten die kommunistischen Regierungen auf die Fluchtbewegung?
Wie kam es zur Öffnung des Eisernen Vorhangs?
Kann uns das Ende des Ost-West-Konflikts zeigen, wie die heutigen globalen Herausforderungen zu meistern sind?
How did the communist regimes react to the mass exodus?
What caused the fall of the Iron Curtain?
How did the end of the Cold War suggest answers to current global challenges?

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20 YEARS AFTER
THE FALL OF THE BERLIN WALL

This had been preceded by a mass exodus from the GDR to the west via the neighbouring countries of Poland, Czechoslovakia and Hungary. On 11 September 1989 Hungary opened its border with Austria. In the meantime, thousands more refugees were waiting in the embassies in Prague.

The three guests of honour were given ten minutes each to expand on the circumstances which, in their opinion, led to the opening of the borders. László Kovács, former Foreign Minister of Hungary and current EU Commissioner, spoke first.

Twenty years ago, Russia's preoccupation with finding successors for its senile rulers had opened up new possibilities for Hungary. In 1982 Hungary became a member of the International Monetary Fund and the World Bank and established its first informal contacts with European Commissioner Haferkamp. As from 1 January 1988 Hungarians were already able to travel without restrictions and in 1989 the Iron Curtain between Hungary and Austria was dismantled. This induced tens of thousands of people to travel to Hungary in the hope of getting to West Germany, sooner or later, by this route. The Hungarian Foreign Ministry decided not to send these refugees back to their country of origin but to allow them to leave for Germany. The only questions were, when and how. The risk of Russia imposing economic sanctions was considered and found to be minimal, as Germany was

not the only country Hungary had trade relationships with. At midnight on 10 September the borders were opened. The Russian ambassador was informed but confined himself to stating that he would take note of the news and pass it on. Sixty thousand people departed.

According to Mr Dienstbier, for Czechoslovakia 1989 meant a chance to return to Europe, from which it had been cut off for some time. When did 1989 begin? Was it in the GDR, Poland, Czechoslovakia or in Hungary? It is difficult to answer this. It had been a long road and the opposition had often had to work in secret and with modest means. In any case, the situation in Czechoslovakia was quite different from that in Hungary. The Hungarians could travel, whilst the Czechs had learnt, after 1968, that going it alone led nowhere. The only chance of achieving anything was to act together.

In 1989 the time had come at last. A European freedom movement had come into existence. A radical change was in the offing, but there was to be no repetition of what had happened in the GDR on 17 July 1953, when Soviet tanks shot at German citizens.

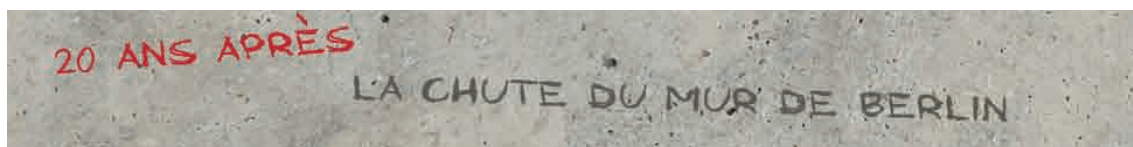
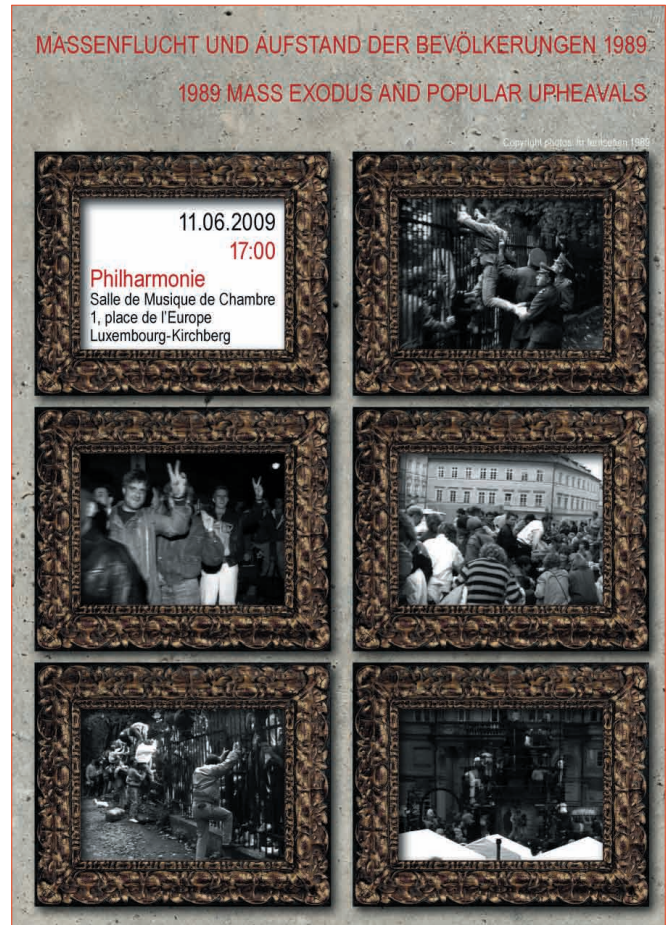
From a German point of view, according to Mr Genscher, not only did the building of the Wall in August 1961 have an enormous impact on peoples' lives, it also had great political significance. In reality, the building of the Wall was an admission by the socialist systems that they had lost the competition with western systems. But this also meant that opening the Wall was the final admission that there was no stopping these developments. Hungary's truly courageous decision in September 1989 to allow the Germans to leave the country, in spite of the most strident protests by East Berlin, must be seen against this background. Only 20 days later East Berlin did an about-turn and agreed to allow its people to leave Prague. Prague had always taken the view that the decision had to come from East Berlin.

When he heard that their trains had to travel through the GDR, Genscher declared "I personally guarantee that nothing will happen to you." This was quite a promise, even though he was convinced the GDR would keep its word.

What had happened? Hungary's decision tore the first stone from the Wall. The second was the opening of the embassy in Prague. Only then did the Wall come down.

Looking towards the future, Mr Genscher expressed his dissatisfaction with the turnout for the latest European Parliament elections by quoting Thomas Mann, "What we want is a European Germany and not a German Europe". He argued passionately that there was only one way to solve problems and this was to talk to "the other side". Attitudes could be changed through cooperation.

At the moment the main problem was that in Europe a certain re-nationalisation of attitudes was gaining ground. He was seriously concerned at the way that fingers were immediately pointed at Brussels as soon as a problem arose, as if the European Union was a foreign occupying power. Europe, in his opinion, was all those of us who had learned from history. What was completely new about European unification was the fact that it was completely irrelevant how big or small or how different countries were, we were all equals. United in our disparity, as Mr Kovacs put it. That should be our vision and our mission.





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